

CJ-16-4456  
Stuart



THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

AUG 30 2016

RICK WARREN  
COURT CLERK

31

KEISHA OSBORNE,

Plaintiff;

vs.

Case No.

CJ-2016-4456

OK SUB OF OKC, INC. d/b/a  
SUBWAY, a domestic for-profit  
business corporation,

Defendant.

PETITION

COMES NOW Plaintiff, Keisha Osborne, for her cause of action against Defendant, OK Sub of OKC, Inc. d/b/a Subway ("Subway"), states as follows:

THE PARTIES

1. Plaintiff is a citizen and resident of Oklahoma County, Oklahoma.
2. Defendant, Subway, operates in Oklahoma County, Oklahoma.

JURISDICTION AND VENUE

3. This is an action arising from the Defendant's termination of the Plaintiff's employment in violation of Title VII of the Civil Rights Act and Section 1981.
4. All of the claims at issue herein arose in Oklahoma County, Oklahoma.
5. Defendant operates in Oklahoma County and may be served in Oklahoma County.

STATEMENT OF FACTS

6. Plaintiff was hired on or about May 19, 2014, as a Sandwich Artist.

EXHIBIT

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7. During the course of Plaintiff's employment with Defendant, it discriminated against her in the terms, conditions, and privileges of employment in various ways, in substantial part because of her race, in violation of Title VII of the Civil Rights Act of 1964 and Section 1981.
8. Plaintiff, an African American, is a member of a protected class under Title VII of the Civil Rights Act of 1964 and Section 1981.
9. Plaintiff was qualified for her position and satisfied the position's normal qualification requirements.
10. Defendant terminated Plaintiff's employment because of her race and her complaints of racial harassment.
11. Plaintiff was terminated on or about October 27, 2014.
12. Plaintiff was replaced by a white employee.
13. Plaintiff received a right to sue from the Equal Employment Opportunity Commission dated June 6, 2016.

#### **CAUSATION OF PLAINTIFF'S DAMAGES**

14. As a direct and proximate result of the Defendant's actions, Plaintiff has suffered damages described hereafter.

#### **DAMAGES SUSTAINED BY PLAINTIFF**

15. Plaintiff has suffered lost earnings, past and future, and other compensatory damages including, but not limited to, pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses.
16. The Defendant's actions were willful, wanton, or, at the least, in reckless disregard of Plaintiff's rights; therefore, Plaintiff is entitled to punitive damages.

#### **DEMAND FOR JURY TRIAL**

17. The Plaintiff demands a jury trial for all issues of fact presented by this action.

**RESERVATION OF ADDITIONAL CLAIMS**

18. The Plaintiff reserves the right to plead further upon completion of discovery to state additional claims and to name additional parties to this action.

WHEREFORE, Plaintiff prays for judgment against the Defendant, in a sum excess of the amount required for diversity jurisdiction under 28 U.S.C. § 1332 (currently \$75,000.00) plus interest, costs, attorney's fees, punitive damages, and all such other and further relief as to which Plaintiff may be entitled.

Respectfully submitted,



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ATTORNEY FOR PLAINTIFF

**ATTORNEY LIEN CLAIMED**